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10/29/2024

DATE FILED:

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

DUSTY BUTTON and MITCHELL TAYLOR BUTTON,

Plaintiffs,

-against-

THE NEW YORK TIMES COMPANY, JULIA JACOBS, LINDSEY RUFF, SABINA MARIELLA, DAWN SCHNEIDER, DEMETRI BLAISDELL, and DAVID MCCRAW,

Defendant.

1:24-cv-05888-MKV

ORDER TO SERVE OR SHOW CAUSE

MARY KAY VYSKOCIL, United States District Judge:

Plaintiffs initiated this case on July 29, 2024 by filing a complaint. [ECF No. 1]. However, since then, Plaintiffs have not filed proof of service on Defendant Dawn Schneider. Rule 4(m) of the Federal Rules of Civil Procedure provides:

If a defendant is not served within 90 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Accordingly, IT IS HEREBY ORDERED that Plaintiff shall serve Defendant Dawn Schneider and file proof of such service on the docket by November 12, 2024. If proof of service has not been filed by that date, and Plaintiff fails to show good cause why the time for service should be further extended, the Court will dismiss Plaintiffs' case against Ms. Schneider.

SO ORDERED.

Date: October 29, 2024

New York, NY

MARY KAY VYSKOCIL
United States District Judge